Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

In the Matter of	)	
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Public Safety and Homeland Security Bureau Seeks Comment On The Technical and Operational Feasibility Of Enabling Flexible Use Of the 700 MHz Public Safety Narrowband Allocation and Guard Band for Broadband Services	)	PS Docket No. 06-229
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	)	DA 10-1877
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COMMENTS OF RONALD G. MAYWORM, CHAIRMAN
REGION 49 REGIONAL PLANNING COMMITTEE (TEXAS, AUSTIN)

Ronald G. Mayworm, Chairman of the Region 49 Regional Planning Committee, which includes 30 counties in the Central Texas and Austin area, and System Manager of a multi-county public safety radio system that uses 700 MHz narrowband channels, submits these comments in the above-captioned proceeding.

1. WHAT IS THE CURRENT AND ANTICIPATED USE OF 700 MHz NARROWBAND NETWORKS?

In Region 49 at least 110 RPC-controlled and 22 state-licensed narrowband channels[1] are currently in use by regional, county, or municipal entities. These provide coverage in 4 counties, covering approximately 2,059 square miles, or 8 % of the region's area, and approximately 18 % of the region's population.

The Greater Austin Travis County Regional Radio System has funded plans under way to use both RPC-controlled and state-licensed narrowband channels to facilitate its necessary replacement of their current end-of-life 800 MHz infrastructure without suffering any loss of mission-critical capacity. This system covers approximately 4,517 square miles, or 18 % of the region's area, and serves approximately 52 % of the region's population.

[1] The number of channels is stated in 6.25 kHz bandwidth. All systems currently operating or planned are using 12.5 or 25 kHz bandwidth technologies.

At least one of Region 49's Regional Councils of Governments[2] has consultants developing a migration plan to 700 MHz narrowband channels for the 5 counties immediately adjoining the 2 counties currently using 700 MHz narrowband channels. This will potentially add another 3,872 square miles to the region's 700 MHz narrowband channel coverage area. In some of these counties migration to the 700 MHz narrowband channels may be chosen instead of the alternative task of mandatorily narrowbanding their current VHF systems by January 1, 2013.

I believe that there are many jurisdictions in Region 49 that will eventually deploy both broadband and narrowband systems in their areas, and that sharing infrastructure and backhaul between these systems will occur as much as possible. However, I have not seen any evidence that several of the unique and critical aspects of narrowband voice, such as one-to-many or direct subscriber-to-subscriber (without use of any infrastructure), will be available on broadband systems during the expected life cycle of the narrowband voice systems that are being currently implemented. Furthermore, the multi-million tax dollar investments currently being made in narrowband voice systems will not be prematurely replaced or abandoned before the end of their useful lives.

2. WOULD THE FLEXIBILITY TO OFFER BROADBAND SERVICES IN ALL OR A PORTION OF THE 700 MHz NARROWBAND SPECTRUM AND/OR THE GUARD BAND PROMOTE MORE EFFICIENT USE OF THE 700 MHz PUBLIC SAFETY SPECTRUM?

I believe that the uncertainty that would be introduced into system planning by such flexibility would actually reduce efficient use of the spectrum for a long time. Flexibility = uncertainty.

3. IF THE COMMISSION WERE TO ALLOW FLEXIBLE USE OF THE 700 MHz NARROWBAND SPECTRUM AND/OR THE GUARD BAND, WOULD BROADBAND OPERATIONS IN THIS SPECTRUM POTENTIALLY INTERFERE WITH EXISTING OR FUTURE PUBLIC SAFETY NARROWBAND OPERATIONS?

I do not believe that there has been sufficient real-world testing of these different technologies in close proximity to each other, both frequency-wise and geographically, to allow anyone to answer this question with more than opinion or conjecture. I do believe that allowing such flexibility could result in interference that could be more difficult to resolve than the interference that necessitated the ongoing rebanding at 800 MHz. Allowing flexible use at this time would be taking a risky gamble with the lives of first responders and the public they serve.

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[2] There are 24 regional Councils of Governments (COGs) in Texas, and their membership includes all 254 counties. COGs are tasked by the State with performing Homeland Security Planning, including interoperable communications, for their respective multi-county areas.

4. WHAT IMPACT WOULD ALLOWING FLEXIBLE USE OF ALL OR A PORTION OF NARROWBAND SPECTRUM HAVE ON THE CONTINUED ABILITY TO SUPPORT NATIONWIDE NARROWBAND INTEROPERABILITY?

The long-term and continuing critical need for nationwide narrowband voice interoperability has been documented and proven beyond any doubt. The first, and only, really effective solution has been the allocation of nationwide narrowband interoperability channels in the 700 MHz band. Planning for their effective use has been ongoing since the National Coordinating Committee (NCC) first met in 1999. Any flexible use of the spectrum that affects these channels in any way is counterproductive and not in the public interest.

5. HOW MUCH, IF ANY, OF THE NARROWBAND ALLOCATION AND GUARD BAND SHOULD BE MADE AVAILABLE FOR BROADBAND OPERATIONS?

None of the current allocations should be changed.

6. IF FLEXIBILITY IN THE NARROWBAND SPECTRUM WERE ALLOWED, WHAT ROLE SHOULD THE 700 MHz RPCs AND STATES PLAY IN ITS IMPLEMENTATION?

In Texas there are six regions and six Regional Planning Committees. This is for good reason: the state is very large, and the communications needs from region to region are diverse. However, I believe that the impact of flexibility, if it was allowed, and the problems of avoiding interference between the disparate systems would be so great that planning and management of the broadband portion would need to be done at the state level, just as it is currently done for the narrowband interoperability channels.

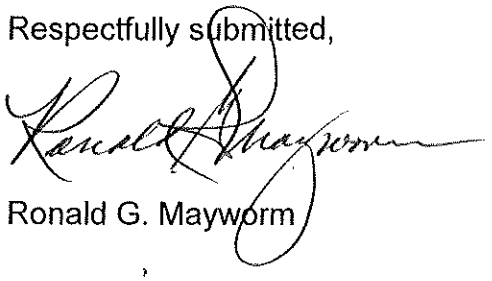
7. WHAT WOULD BE THE IMPACT OF ALLOWING FLEXIBILITY ON DEVELOPMENT OF BROADBAND, NARROWBAND AND DUAL USE EQUIPMENT IN THE 700 MHz PUBLIC SAFETY SPECTRUM?

I believe that the uncertainty that would be introduced by allowing flexibility in the band would hamper the development of any equipment in the band, since manufacturers would have no basis from which to project market demand without taking substantial risk. Flexibility = unpredictability.

8. IF THE COMMISSION WERE TO PERMIT FLEXIBLE USE OF THE NARROWBAND SPECTRUM, WHAT IF ANY IMPACT SHOULD THIS HAVE ON THE EXISTING RULES THAT REQUIRE 700 MHz NARROWBAND SYSTEMS TO NARROWBAND TO 6.25 kHz BANDWIDTH CHANNELS BY DECEMBER 31, 2016?

I do not believe that allowing flexible use of the spectrum should affect these rules. However, I must note that Region 49 is on record in the RM-11577 proceeding as supporting that State of Louisiana's SIEC's Petition for Rulemaking to extend the December 31, 2016, deadline.

Respectfully submitted,



Ronald G. Mayworm